

Environmental Justice Coalition for Water

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February 15, 2008

Jeanine Townsend
Clerk to the Board
Executive Office
State Water Resources Control Board
PO Box 100
Sacramento, CA 95812

Subject: Comments on SWRCB Strategic Plan

Dear Ms. Townsend:

The Environmental Justice Coalition for Water is a statewide coalition of more than 60 community based and non-profit organizations working on water justice issues around the state including provision of safe drinking water, subsistence fishing, protection of cultural and sacred uses of water, and access to water resources for recreational purposes.

EJCW has reviewed the State Water Board's Strategic Plan Update and we submit this letter to you with our comments on the document.

The draft Strategic Plan is an excellent beginning to some very important discussions regarding California's most precious water resources. EJCW is particularly interested in the groundwater objectives as many environmental justice communities rely on groundwater as their sole source of drinking water. In fact, 90% of residents in both the Central Valley and the Central Coast rely on groundwater as their primary source of drinking water. About 50% of all Californians rely on groundwater for at least some of their drinking water supply. In basins where the groundwater is contaminated by agricultural or industrial uses or naturally occurring contaminants these communities, lacking the resources to treat their water, are left without safe drinking water and forced to purchase bottled water. This creates a serious financial hardship for these communities who are already paying a high percentage of their income for their undrinkable tap water.

While there is no way to control naturally occurring contamination of groundwater aquifers, those contaminants discharged by human activity represent a failure of the Water Board system to regulate those discharges in such a way as to protect the very reasonable beneficial use of those resources for drinking water. If California is to meet the demands placed on water resources by population growth and climate change we can not afford to allow polluters to continue polluting groundwater aquifers at a rate that will make entire basins unfit for use as drinking water supply. **We commend the State Water Board for acknowledging the severity of this crisis and setting the goal of reducing discharge to groundwater by 25% by 2020.**

The goal of reducing discharge, however, does not address the need to restore groundwater basins for future use. Groundwater is the most plentiful water resource in the state. Today, groundwater provides between 30% and 40% of the State's water supply. With many regions planning groundwater recharge, groundwater storage, and conjunctive use projects, to name a few, groundwater is likely to become a growing percentage of our State's water supply. To ensure that groundwater basins are able to sustain the range of uses necessary to supply

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California's needs the ultimately, the Water Board's measure of success or failure should be judged based on the actual improvement of water quality. To this end, we recommend that the Water Board add the following goal and objectives to its strategic plan:

Goal: Reduce the presence of priority contaminants in each groundwater basin by 25% by 2020.

Objective 1: The Regional Water Boards will identify the contaminants responsible for the highest rate of well-closure in each basin and develop a list of priority contaminants by July 1, 2009.

Objective 2: The State Water Board will assess existing regulation and enforcement activity and make adjustments in regional board staffing and funding to provide the necessary resources to both monitor and regulate discharges to meet the reduction goal by 2020.

Objective 3: Each Regional Board will develop a work plan and benchmarks to measure progress toward meeting the reduction goal for each priority contaminant by 2020.

We strongly urge the Water Board to include a goal and objectives related to groundwater quality. The State Water Board and its nine Regional Boards are responsible for exercising their public trust responsibilities and protecting all water resources for the good of the people of the State of California. In fact, this draft strategic plan lists, "Protection: We conduct analyses, make decisions, and take actions that ensure the protection, restoration, and enhancement of public trust resources and beneficial uses of California's waters," as its first principle and value. If the people of the state are forced to pay higher water rates (to fund treatment of groundwater or purchase and treat surface water because the groundwater is too contaminated) or in the worse case to go without safe drinking water, then the State Water Board has failed in its mission and in fulfilling its principles and values. With basins already contaminated beyond safe use for drinking water this means that restoration of groundwater basins must be a part of the plan in order for the Board to fulfill its mission, principles and values, and charge.

Protection and restoration of groundwater resources will not be an inexpensive endeavor. Due to the sheer mass of dischargers and the overarching impacts of non-point source pollution the Water Board will need to demonstrate its commitment to groundwater by investing badly needed resources in monitoring, permitting and enforcement. Fortunately, the Water Board already has fee authority and requires no additional legislative action to address this challenge. Thus, we advise that the Water Board assess its current fee structure and adjust fees to cover the actual cost of permitting and enforcement activities.

We respectfully request your consideration of the following amendments to the Strategic Plan document to ensure that groundwater restoration is a practicable and attainable goal:

- 1) Add restoration to the title of the groundwater section so that it reads, "Groundwater Protection and Restoration."
- 2) On page 13, 2nd paragraph from the bottom, eliminate the language, "...whenever such restorations are practicable and attainable."

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- 3) On page 13, final paragraph, end of first sentence add, "... and providing enforcement actions where necessary to support local groundwater management activities."
- 4) On page 14, add, "Action 2.2.5. Develop a plan to generate revenue through the Water Board's fee authority to provide the resources necessary to institute an effective monitoring, regulatory and enforcement program in order to meet the discharge reduction and water quality goals."

We look forward to continued collaboration with the Water Board to ensure that the State's water resources are of a quality that provides every Californian, especially environmental justice communities, with safe, accessible, and affordable water resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbie Davis".

Debbie Davis
Legislative Analyst